



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DMP:ICR
F. #2015R01171

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 15, 2021

By ECF and Email

The Honorable Edward R. Korman
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Kaveh Lotfolah Afrasiabi
Criminal Docket No. 21-46 (ERK)

Dear Judge Korman:

The government respectfully moves to continue the status conference in this matter currently scheduled to proceed by videoconference on April 21, 2021 at 2:00 p.m., to a date convenient to the Court after April 28, 2021. The undersigned attorney is counsel on a case currently scheduled for trial before the Honorable Pamela K. Chen on April 19, 2021. Based on the pretrial conference in that matter held earlier today, it appears that the trial will go forward on April 19th. The undersigned expects that the trial may take more than a week depending on the complexities of selecting a jury during the COVID-19 pandemic, and whether the defendant in that case chooses to offer evidence in his defense. Accordingly, the undersigned will be unavailable for the status conference scheduled in this matter on April 21st.

In response to the defendant's recent emails regarding discovery (see Dkt. Nos. 65 and 66), the government notes that on March 1, 2021, it produced approximately 1,800 pages of marked discovery to the defendant, as well as the contents of several CDs, DVDs and a USB flash drive through the government's secure file transfer system. (See Gov't Opp'n to Mot. at 4, Dkt. No. 53 (Mar. 1, 2021)). The government has also returned to the defendant several items that were originally seized during a search of the defendant's residence pursuant to search warrant. Notwithstanding these productions, the defendant has advised the government that he will not review the discovery that has been provided to him through the government's secure file transfer system and has requested that the discovery be provided to him on a USB drive. While the government will accommodate the defendant's request to

receive discovery via USB drive, the government has been unable to re-produce that discovery to the defendant while the undersigned prepares for trial on April 19th. The government will ensure that the defendant is provided the discovery on a USB drive in advance of the next status conference in this matter.

Respectfully submitted,

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Acting United States Attorney

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Clerk of Court (ERK) (by ECF and Email)